

unmarried son or daughter, the son or daughter shall be required to establish that they have been physically present in the United States for a continuous period, beginning not later than July 1, 1989, and ending not earlier than the date the application for adjustment under this subsection is filed;

(C) the alien applies for such adjustment and is physically present in the United States on the date the application is filed;

(D) the alien is otherwise admissible to the United States for permanent residence, except in determining such admissibility the grounds for exclusion specified in paragraphs (4), (5), (6)(A), (7)(A), and (9)(B) of section 212(a) of the Immigration and Nationality Act shall not apply; and

(E) applies for such adjustment before July 1, 2001.

(2) **PROOF OF CONTINUOUS PRESENCE.**—For purposes of establishing the period of continuous physical presence referred to in paragraph (1)(B), an alien—

(A) shall demonstrate that such period commenced not later than July 1, 1989, in a manner consistent with subsection (b)(2); and

(B) shall not be considered to have failed to maintain continuous physical presence by reason of an absence, or absences, from the United States for any period in the aggregate not exceeding 180 days.

(e) **FEE.**—The Attorney General shall impose a fee of \$1,000 on each alien filing an application for adjustment of status under this section.

(f) **AVAILABILITY OF ADMINISTRATIVE REVIEW.**—The Attorney General shall provide to applicants for adjustment of status under subsection (a) the same right to, and procedures for, administrative review as are provided to—

(1) applicants for adjustment of status under section 245 of the Immigration and Nationality Act; or

(2) aliens subject to removal proceedings under section 240 of such Act.

(g) **LIMITATION OF JUDICIAL REVIEW.**—A determination by the Attorney General as to whether the status of any alien should be adjusted under this section is final and shall not be subject to review by any court.

(h) **APPLICATION OF IMMIGRATION AND NATIONALITY ACT PROVISIONS.**—Except as otherwise specifically provided in this section, the definitions contained in the Immigration and Nationality Act shall apply in the administration of this section. Nothing contained in this section shall be held to repeal, amend, alter, modify, affect, or restrict the powers, duties, functions, or authority of the Attorney General in the administration and enforcement of such Act or any other law relating to immigration, nationality, or naturalization. The fact that an alien may be eligible to be granted the status of having been lawfully admitted for permanent residence under this section shall not preclude the alien from seeking such status under any other provision of law for which the alien may be eligible.

## BLACK HISTORY MONTH

### SPEECH OF

### HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 24, 1999

Mr. CLAY. Mr. Speaker, as we celebrate Black History Month, I am honored to pay trib-

ute to one of this century's greatest poets, a native of my home state of Missouri, the late Melvin B. Tolson (1898–1966). Tolson was a Renaissance man who spent his adult life in the East Texas Black Bible Belt. He was a man of prodigious talent, energy and accomplishment who was singularly devoted to championing the rights and the virtues of the common man. He served his fellow human beings in every way he could. Today he is remembered as a great teacher and a celebrated writer, but Melvin Tolson was also a painter, a cook, a waiter, a janitor, a shoeshine boy, a soldier, an actor, a boxer, a mayor, a newspaper columnist, a packing-house worker and even the poet laureate of Liberia.

Melvin Tolson was, above all, a committed humanist who devoted his life to enhancing the dignity of every human being. As an outspoken leader and champion of lost causes and underdogs, he organized black sharecroppers in the South and was known to narrowly escape a lynch mob on more than one occasion. Tolson spent more than forty years teaching at Wiley and Langston colleges where he coached championship winning Black College debate teams through a ten year winning streak during which they defeated Oxford along with two national champion teams. As a poet, Melvin Tolson's contributions to literature earned him only modest recognition toward the end of his lifetime. Like so many artists, his greatest critical acclaim came after his life ended.

Ralph Ellison, writing in "Shadow and Act", described the rich emotion of Tolson's "Richard Wright's Blues":

The blues is an impulse to keep the painful details and episodes of a brutal experience alive in one's aching consciousness, to finger its jagged grain, and to transcend it, not by the consolation of philosophy but by squeezing it from a near-tragic, near-comic lyricism. As a form, the blues is an autobiographical chronicle of personal catastrophe expressed lyrically . . . Their attraction lies in this, that they at once express both the agony of life and the possibility of conquering it through sheer toughness of spirit.

Mr. Speaker, Melvin Tolson is a source of inspiration to Black Americans. He is one of the shining stars of our history and one of this nation's greatest artists. Tolson created a poetic legacy. His writings will bless and enrich the lives of generations to come. I am happy to report that the Tolson Project has been established to enhance our knowledge and understanding of the works of Melvin B. Tolson and under its leadership, the "Collected Works of Melvin B. Tolson" will be re-issued this year. In closing, I would like to take this opportunity to share some of this distinguished man's immortal words.

DELTA

Art  
is not barrel copper easily separated  
from the matrix  
it is not fresh tissues  
—for microscopic study—  
one may fix:  
unique as the white tiger's pink paws and  
blue eyes,

Art  
leaves her lover as a Komitas  
deciphering intricate Armenia neums,

with a wild surmise.

### RENDEZVOUS WITH AMERICA

I see Joe DiMaggio

As his bat cuts a vacuum in the paralyzed  
air:

In brown Joe Louis, surged in white acclaim,  
As he fights his country's cause in Madison  
Square.

### A TRIBUTE TO PATRICIA STAFF OF ONALASKA, WISCONSIN

### HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1999

Mr. KIND. Mr. Speaker, I rise today to pay tribute to Patricia Staff, a true hometown hero from Wisconsin.

Last month, Patricia Staff, who is a resident of my district, took action that potentially saved the life of a young student. Patricia is a school crossing guard in Onalaska, Wisconsin. On Friday, January 8, she was working at her usual crossing location at Quincy Street and Sand Lake Road in Onalaska. While helping students cross this busy intersection, she noticed a car swerving through traffic with no intention of stopping. Patricia quickly grabbed a young boy crossing the intersection and pulled him out of harms way. According to the police, Patricia's actions saved the child from certain injury and possibly death.

Every day, throughout our nation, dedicated men and women serve our country as school crossing guards. It is easy to overlook their work. The job they do, however, is vital to the millions of students who walk to school each day. Crossing guards assist students at busy intersections, they keep an eye out for strangers who may threaten children, they provide parents with the security of knowing their children are safe, and often they become good friends to the students. School crossing guards are essential to the safety and well-being of our children.

Patricia Staff is a tribute to the people of western Wisconsin and all crossing guards. Patricia Staff put the protection of those children going to school above all other concerns, and because of that she potentially saved a life. I rise today to commend Patricia Staff for her work, thank her for dedication to her community, and praise her as a true hero.

### TRIBUTE TO THE LATE DICK DAY

### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1999

Mr. MCINNIS. Mr. Speaker, it is with great sadness that I wish to take this moment to recognize the remarkable life and significant achievements of one of Colorado's leading journalists for the past thirty years, Dick Day. Tragically, Dick died in an automobile accident on December 8, 1998. While family, friends and colleagues remember the truly exceptional